

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

JASON L. HAJOSTEK,

Plaintiff,

vs.

**MARTIN J. O'MALLEY,
Commissioner of Social Security,**

Defendant.

CV-23-43-BLG-SPW

ORDER

Plaintiff Jason L. Hajostek ("Hajostek"), by and through his attorney, John E. Seidlitz, Jr., moves under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. §2412(d), for attorney fees incurred in prosecuting his Social Security appeal (Doc. 13). Plaintiff requests \$9,907.11 in fees.

Defendant Commissioner of Social Security ("Commissioner") has been contacted and does stipulate to the requested fees.

Accordingly, **IT IS ORDERED** that Defendant shall pay \$9,907.11 in fees under the Equal Access to Justice Act, 28 U.S.C. §2412.

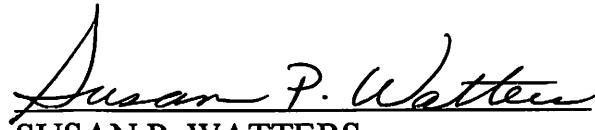
IT IS FURTHER ORDERED that if, after receiving the Court's EAJA fee order, the Commissioner (1) determines upon effectuation of the Court's EAJA fee order that Plaintiff does not owe a debt that is subject to offset under the

Treasury Offset Program, (2) agrees to waive the requirements of the Anti-Assignment Act, and (3) is provided a valid assignment of fees executed by Plaintiff, the fees will be made payable to Plaintiff's attorney and mailed to Plaintiff's attorney's office as follows:

Seidlitz Law Office
P.O. Box 1581
Great Falls, MT 59403-1581

However, if there is a debt owned under the Treasury Offset Program, the Commissioner cannot agree to waive the requirements of the Anti-Assignment Act, and any remaining EAJA fees after offset will be paid by a check made out to Plaintiff, but delivered to Plaintiff's attorney.

DATED this 6th day of August, 2024.


SUSAN P. WATTERS
U.S. District Judge